JCOG REC'S PCT/PTO 30 SEP 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| be U.S. Patent Application of: | )      | Group Art Unit: n/a       |
|--------------------------------|--------|---------------------------|
| Tim Neil et al.                | )      | Examiner: n/a             |
| Serial No.: 10/537,705         | )      | Attorney Docket: 93422-47 |
| Filed: June 3, 2005            | )<br>) |                           |
| For: DETERMINING OPERATIONAL   | j –    |                           |
| STATUS OF A MOBILE DEVICE      | )      |                           |
| CAPABLE OF EXECUTING           | )      |                           |
| SERVER-SIDE APPLICATIONS       | )      |                           |

PTO Customer No. 22463

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 U.S.A.

Dear Sir:

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 CFR 1.56, Applicants hereby make of record the references set out on the attached form SB/PTO/08A and SB/PTO/08B.

A copy of each non-U.S. patent reference is enclosed.

Each of the references was cited in a search report issued in respect of the corresponding International application.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103, and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish otherwise. Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

It is respectfully requested that the information be expressly considered by the Examiner and that the references be made of record and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,

Ronald D. Faggetter Registration No. 33,345

SMART & BIGGAR
438 University Avenue
Suite 1500, Box 111
Toronto, Ontario
Canada M5G 2K8
Telephone: (416) 593-5514

Date: September 29, 2005

Enclosures RDF/PAE/jbs 93422-47

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act \$295, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## Application Number 10/537,705 Filing Date June 3, 2005 First Named Inventor Tim Neil et al. Art Unit n/a Examiner Name n/a

STATEMENT BY APPLICANT
(Use as many sheets as necessary)

INFORMATION DISCLOSURE

Sheet 1 of 2 Attorney Docket Number 93422-47

|                       |                          |  |                             | DOCUMENTS  |  |
|-----------------------|--------------------------|--|-----------------------------|--|--|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number  Number-Kind Code <sup>2 (f known)</sup> | Publication Date MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevan<br>Figures Appear |
| /A.T.,                |                          | <sup>US-</sup> 2003/0018764 A1                           | 01/23/2003                  | Shell et al.                                       |  |
| /A.T./                |                          | <sup>US-</sup> 2001/0031626 A1                           | 10/18/2001                  | Lindskog et al.                                    |  |
| /A.T./                |                          | <sup>US-</sup> 2003/0162534 A1                           | 08/28/2003                  | Lee  |  |
| /A.T./                |                          | <sup>US-</sup> 6,088,588                                 | 07/11/2000                  | Osborne  |  |
|                       |                          | US-  |                             |  |  |
|                       | US-                      |  |                             |  |  |
|                       |                          | US-  |                             |  |  |

| Examiner Initials* | Cite<br>No.1 | Foreign Patent Document  | Publication Date | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages |   |
|--------------------|--------------|--|------------------|--|---|---|
|                    |              | Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> ( <i>if known</i> ) | MM-DD-YYYY       |  | Or Relevant Figures Appear                        | T |
| /A.T./             |              | CA 2,274,866 A1  | 06/18/1998       | Lupien, Francis                                    |   |   |
| /A.T./             |              | EP 0 730 388 A2  | 04/09/1996       | Ishizuka, et al.                                   |   |   |
| A.T./              |              | WO 2005/015935 A1  | 02/17/2005       | Deakin, lan  |   |   |
|                    | ļ            |  |                  |  |   | L |
|                    | -            |  |                  |  |   | L |
|                    | l            |  |                  |  | l .   | 1 |

|            | · · · · · · · · · · · · · · · · · · · |              |               |
|------------|---------------------------------------|--------------|---------------|
| f Examiner | l                                     | Date         |               |
|            | l /Ashlev Lurner/                     |              | 00/00/0000    |
| Signature  | //hamey rumer/                        | Considered   | 1 0.3/28/2008 |
|            | l "                                   | - Oonolacica | 00/20/2000    |
|            |                                       |              |               |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO **Application Number** 10/537,705 INFORMATION DISCLOSURE Filing Date June 3, 2005 STATEMENT BY APPLICANT First Named Inventor Tim Neil et al. **Art Unit** n/a (Use as many sheets as necessary) **Examiner Name** n/a Sheet 2 Attorney Docket Number 2 93422-47

|                       |                          | NON PATENT LITERATURE DOCUMENTS   |    |
|-----------------------|--------------------------|---|----|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
| /A.T./                |                          | Extensible Markup Language (XML) 1.0 (Third Edition), WC3 Recommendation 04 February 2004, http://www.w3.org/TR/2004/REC-xml-20040204.  |    |
| <b>.</b>              |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |
|                       |                          |   |    |

| Examiner  | /Aphles Terrens/ | Date       |            | - |
|-----------|------------------|------------|------------|---|
| Signature | /Ashley Turner/  | Considered | 03/28/2008 |   |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: